IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 15645 of 2004

Between:

1 S.Subba Rayudu, s/o George,
r/o B.Mattam Mandal, Cuddapah District.
2 K.Swamynatham, s/o Yesobu,
r/o B.Mattam Mandal, Cuddapah District.
3 P.Hussain Rao, s/o Subbanna,
r/o B.Mattam Mandal, Cuddapah District.
4 S.K.Kasimpeera, s/o Fakruddin,
r/o B.Mattam Mandal, Cuddapah District.

..... PETITIONER(S)

AND

1 The Govt. of AP rep., by its Secretary, I & CAD Department, Hyderabad.
2 The Chief Engineer, Telugu Ganga Project, Srikalahasti, Chittoor District.
3 The Chief Engineer, Tungabadra Project, Cuddapah.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly one in the nature of writ of mandamus declaring the action of the first respondent in issuing GO Ms.No.60 dated 03-07-04 to the extent of transferring of files relating to the displaced persons under Telugu Ganga Project to the third respondent from the second respondent contrary to GO Ms.No.98 dated 15-04-86 as illegal, without jurisdiction and violative of Articles 14, 16 and 21 of the Constitution of India and consequently direct the respondents to continue the control of files with the second respondent, who is the appointing authority of the displaced persons under the TGP and consider the cases of the petitioners and other displaced persons as per GO Ms.No.98 dated 15-04-86 with all consequential reliefs and benefits

Counsel for the Petitioner:MR.S.LAKSHMA REDDY

Counsel for the Respondent No.: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following :

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ORDER:

The petitioners are claiming that they are the displaced persons under the Telugu Ganga Project. They contend that the Government acquired their lands along with the lands of others for the purpose of construction of reservoir under Telugu Ganga Project. The Government had taken several rehabilitation and resettlement schemes for the displaced persons to remove hardship to those persons and one of such measures was to provide employment to one of the eligible unemployed persons in each family under G.O.Ms.No. 98, dated 15-4-1986. The petitioners further contend that the list of eligible displaced persons on the basis of acquisition of their lands and houses were drawn by the District Collector and the same was sent to the Chief Engineer, Telugu Ganga Project. The petitioners names are also finding place in the list of eligible persons for employment against 50% posts/vacancies reserved under the Telugu Ganga Project. The petitioners further submit that the list of eligible persons are available with the 2nd respondent regarding the vacancies that are arising in respect of Officers located at Kurnool, Chitoor and Nellore.

The petitioners came to know that the Government issued G.O.Ms. No. 60 dated 3.7.2004 attaching the Circles of Telugu Ganga Project of Kadapa, Nandyal and camp office of the Chief Engineer, Telugu Ganga Project at Kadapa and Srikalahasti are being attached to the Chief Engineer (Project), Thungabadra at Kadapa. The apprehension of the petitioners is that in pursuance of the attachment of the Circle to the Chief Engineer (Project), Thungabhadra, they are instructed to transfer all the files to the office of the Chief Engineer, Thungabhadra and in the event of transfer of the files relating to the eligible displaced persons like the petitioners to the office of Chief Engineer (Projects), Thungabhadra at Kadapa, the list and the applications of the displaced persons are likely to be lost sight and they are likely to be ignored. Therefore, the petitioners approached this Court seeking a direction to the respondents No.1 and 3 to continue the control of files in relation to the displaced persons under Telugu Ganga Project for the purpose of consideration under G.O.Ms. NO. 98, dated 15-4-1986.

In the light of the apprehension of the petitioners, the respondents no. 1 and 3 are hereby directed to see that the list of eligible persons among the displaced persons and the applications of such persons are kept in tact. It is further directed that they shall give instructions to the concerned authorities to place them before the appropriate authority including the Chief Engineer, Telugu Ganga Project as and when the necessity arises, irrespective of the factum of the attachment of the above circles to the Chief Engineer (Projects), Thungabhadra.

The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.Yethirajulu,J

10th September, 2004.

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ASSISTANT REGISTRAR

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SECTION OFFICER

To

1 The Govt. of AP rep., by its Secretary, I & CAD Department, Hyderabad.
2 The Chief Engineer, Telugu Ganga Project, Srikalahasti, Chittoor District.
3 The Chief Engineer, Tungabadra Project, Cuddapah.

4 .2CCs to G.P. for Irrigation and Comm. Area Development, High Court

Buildings, Hyderabad.

2.2CD copies

THE HONOURABLE Dr.JUSTICE G.YETHIRAJULU

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W.P.No. 15645 OF 2004

10th September, 2004.